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NEA FOR FRONT OFFICE. NSC FOR ABRAMS/SINGH/PASCUAL

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TAGS: KWBG PGOV PREL PTER PHUM KPAL IS

SUBJECT: SOUTHERN WEST BANK VILLAGES FACE LAND
EXPROPRIATION DUE TO SEPARATION BARRIER

REF: JERUSALEM 337

Classified By: Consul General Jake Walles, per reasons 1.4 (b) and (d)

¶1. (C) Summary. Jerusalem attorney Gheith Nassar told Poloff that the Israeli High Court of Justice (HCJ) announced on April 10 cancellation of a temporary injunction against barrier construction near Eshkolot settlement in the southern West Bank. Nassar said this decision allows the IDF to complete a nine-kilometer stretch of the separation barrier, leaving Eshkolot on the western side. Al-Dhahariyah Municipality Director Azmi Radwan told Poloff April 9 that military orders issued in 2005 and in February 2008 expropriated 900 dunams (225 acres) of land and cut off Palestinians from 2,400 dunams (600 acres) of land west of the barrier. Eshkolot settler Eli Tessler told Poloff April 10 that he welcomes the HCJ decision and expects construction to complete the barrier to start soon. End Summary.

Palestinians Fight Land
Expropriation Orders

¶2. (C) Al-Dhahariyah Municipality Director Azmi Radwan told Poloff April 9 that residents of al-Dhahariyah, Dura, and al-Ramadin villages south of Hebron petitioned the Israeli High Court of Justice (HCJ) December 10, 2006 (case number 10202) contesting land expropriation orders issued in 2005. Radwan said the residents added to this case an appeal against a second military order, issued on February 23, 2008, to expropriate 766 dunams (191.5 acres) of land from Palestinians in the three villages. According to the February 23 order (number 183) obtained by Post, the expropriation is for the purpose of "border adjustment" (reftel). Radwan said the expropriated land will be used to complete a nine-kilometer stretch of the separation barrier near Eshkolot settlement. (Note: Eshkolot settlement (population: 225) is 1.8 kilometers east of the Green Line. End Note). When this stretch is complete, the separation barrier will run unbroken for roughly 70 kilometers from the Gush Etzion settlement bloc near Jerusalem to Bet Yatir settlement in the southern West Bank. Radwan said construction of the 100-meter wide barrier will in fact require expropriating closer to 900 dunams (225 acres) and will cut off Palestinians from 2,400 dunams (600 acres) of olive groves and wheat fields west of the barrier. He added, "We want the Israelis to build the wall along the Green Line, rather than use the pretext of security to take our land inside the West Bank."

High Court Rules in Favor of Barrier

¶3. (C) Jerusalem attorney Gheith Nassar told Poloff April 10 that he was hired by the PA to file a petition on behalf of

al-Dhahariyeh, Dura, and al-Ramadin residents contesting the land expropriation orders. The case moved slowly, he said, and in January the HCJ asked the IDF Commander for a written justification of the proposed route that includes Eshkolot inside the barrier. The justification, said Nassar, states that Eshkolot settlement must be included inside the barrier for security reasons. According to Nassar, the HCJ announced on April 10 its acceptance of the IDF's justification and canceled the temporary injunction against barrier construction near Eshkolot. Nassar said this decision "does not help my case," and he will file an appeal next week.

Eshkolot Settlers
Welcome HCJ Decision

¶4. (C) Eshkolot resident Eli Tessler told Poloff on April 10 that "The High Court decision is very good news for us and now it's just a matter of time and money until the fence is complete." He said relations with Palestinians in neighboring al-Ramadin village will not change and that a gate will be constructed to give them access to their lands inside the barrier.

WALLES